

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 7822 of 2022

Ashutosh Panigrahi

....

Petitioner

Mr. C.R. Sahu, Advocate

-versus-

State of Orissa

....

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER

30.08.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is accused in C.T. Case No.772 of 2022, pending in the file of learned S.D.J.M. Bhawanipatna, arising out of Bhawanipatna Sadar P.S. Case No.263 of 2022 under Section 419/420/465/466/46/470/471/120-B/34 of IPC and is in custody since 06.07.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Additional Session Judge, Bhawanipatna by order dated 05.08.2022 in the aforementioned case, the present BLAPL has been filed.
5. The allegations against the present petitioner is that he fraudulently sold the lands of the complainant Narottam Gouda.
6. Learned counsel for the petitioner relying on the revenue records at Annexure-3 submit that since 08.07.2022 the title has

been restored to the informant, hence further continuance of the petitioner in custody is not warranted.

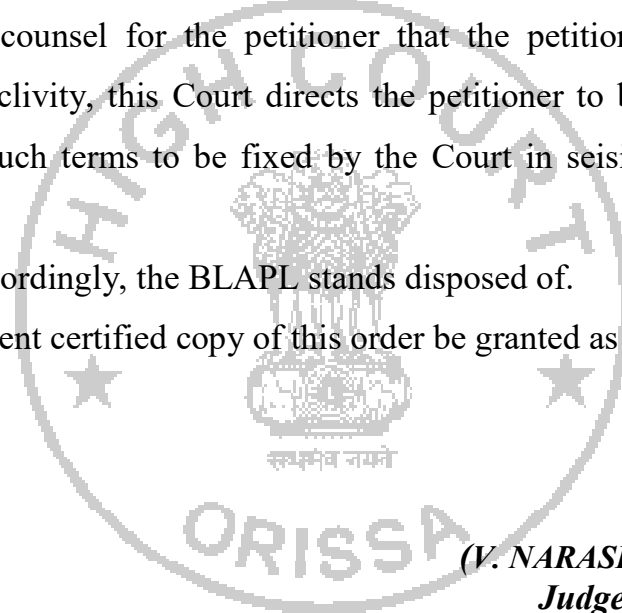
7. It is further submitted that co-accused similarly circumstanced have been released on bail by order of this Court dtd.29.08.2022 in BLAPL No.7711 & 7718 of 2022.

8. Perused the order of rejection. The submission that the petitioner is similarly circumstanced with the accused since released on bail, as stated above, is ex-facie untenable.

9. Yet, taking into account the nature of allegations and the role ascribed to the present petitioner and considering submission of the learned counsel for the petitioner that the petitioner has no criminal proclivity, this Court directs the petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

10. Accordingly, the BLAPL stands disposed of.

11. Urgent certified copy of this order be granted as per rule.



(V. NARASINGH)
Judge

Ayesha